IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Criminal Writ Petition No. 974(M/B) / 2003

Dr. B.S. Gupta Medical Charitable Trust
Society Bheerpur Khurd Rishikesh …. Petitioner.

Vs.

Chairman Haridwar Development
Authority Haridwar and others ... Respondents.

Sri Rajneet Saxena, Counsel for petitioner.

Sri S. Dhulia, counsel for respondents.

Coram: Hon. Irshad Hussain, J.
Hon. M.M. Ghildiyal, J.

Date: 18-10-2003.

PC:

Heard Sri Rajneet Saxena, learned counsel for petitioner and Sri S.Dhulia learned counsel for respondents.

The grievance of the petitioner in brief is that the appeal preferred by the petitioner before the respondent No.1 against the impugned order dated 22.7.2003 is being adjourned and the same is not being decided expeditiously although the nature of the claim is urgent and stay application is pending disposal. Learned counsel for the respondent stated that there is no such provision of appeal under section 28 of the U.P. Urban Planning and Development Act. However it is evident from the memo of the appeal, Annexure-1, that such an appeal had been filed by the petitioner.

Considering this if the appeal is maintainable the respondent authority is directed to dispose of the appeal expeditiously preferably within a period of six weeks from the date of receipt of copy of this order. With this direction the petition is finally disposed of.

(Hon. M.M. Ghildiyal, J.) (Hon.Irshad Hussain, J.)

ISB